UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

Criminal No. 5:03-CR-156-1H Civil No. 5:16-CV-85-H

JAMES DAVID SMITH,)	
Petitioner,)	
V.)	ORDER
UNITED STATES OF AMERICA,)	
Respondent.)	

Having examined petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

SO ORDERED. This 3^{R} day of March, 2016.

MALCOLM J. HOWARD

SENIOR UNITED STATES DISTRICT JUDGE